



# West Virginia Senate

## Committee on the Judiciary

### Minutes for MARCH 27, 2021, 2:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on March 27, 2021, 2:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Grady, Maynard, Phillips, Rucker, Smith, Stover, Takubo, Woodrum, Beach, Caputo, Lindsay, Romano, Woelfel

Members absent: Senator Blair

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

**S. B. 702 - Relating to involuntary hospitalization, competency, and criminal responsibility of persons charged or convicted of certain crimes.**

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Lisa Tackett, Director, Division of Court Services, Supreme Court of Appeals of West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Michael Folio, General Counsel, Office of the Secretary, West Virginia Department of Health and Human Resources, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Dr. John Justice, Statewide Forensic Medical Director, Office of Health Facilities, West Virginia Department of Health and Human Resources, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Perri DeChristopher, Monongalia County Prosecuting Attorney, West Virginia Prosecuting Attorneys Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute, as amended.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

**S. B. 302 - Prohibiting gender-based price discrimination.**

Laura Goins, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Alisa Clements, Planned Parenthood South Atlantic, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute.

Senator Weld moved to report the committee substitute to the full Senate with the recommendation that it do pass.

The Chair being doubt, a division of the body was demanded by Chairman Trump.

The vote being 10 in favor and 6 opposed, the committee substitute will be reported.

**S. B. 542 - Relating to Public Energy Authority Act of WV.**

Mark Dean, Counsel, explained the bill, the purpose of the proposed committee substitute for committee substitute, and responded to questions.

With leave of the committee, Chad Francis, United Mine Workers Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Chris Hamilton, West Virginia Coal Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute for committee substitute.

On motion of Senator Weld, the committee reported the committee substitute for committee substitute to the full Senate with the recommendation that it do pass.

**S. B. 677 - Relating generally to miners' safety, health, and training standards.**

Mark Dean, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump  
Chair



Beverly Douglas  
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 27<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Chris Hamilton

Print Witness Name

Chris Hamilton

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name

The Senate of West Virginia



Testimony taken this 27<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Chad Francis

Print Witness Name

Chad Francis

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Testimony taken this 27<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Alisa Clements

Print Witness Name

[Signature]  
Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 27<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Perri DeChristopher

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee  
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 27<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Dr. John Justice

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee  
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name





The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 27<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Michael Folio

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee  
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 27<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Lisa Tackett

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee  
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name